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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,958	10/30/2001	David George De Vorchik	MFCP.88142	6989

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EXAMINER	
KISS, ERIC B	

ART UNIT	PAPER NUMBER
2192	

DATE MAILED: 06/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/015,958	DE VORCHIK ET AL.	
	Examiner	Art Unit	
	Eric B. Kiss	2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 November 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☒ Interview Summary (PTO-413) Paper No(s)/Mail Date. *20060615*.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 19, 2005, has been entered.

Claims 1-20 are pending.

Response to Arguments

2. Applicant's arguments filed October 19, 2005, have been fully considered but they are not persuasive.

The examiner's rebuttal of applicant's arguments as set forth in the Advisory Action mailed November 4, 2005, is repeated below.

> The Examiner disagrees with the last sentence of Applicant's Interview Summary (see p. 9, paragraph 2, of Applicant's remarks), which states, "The prior art fails to disclose, among other things, a user interface that integrates a web component in a host wizard by utilizing an extension interface." Since, during the interview on September 8, 2005, the Examiner had actually expressed that the prior art does disclose the integration of a host wizard and a web component through a user interface, Applicant's statement is not an accurate reflection of the substance of the interview.
>
> Applicant's arguments alleging that the Fedorov reference fails to teach various features, such as a host wizard and the integration of the host wizard and web component, have already been addressed in the record. See, for example, item 4a, pp. 2-3 of the Final Rejection mailed August 19, 2005.
>
> Applicant's description of a "wizard" on page 2, lines 7-22, of the specification is not a definition set forth with reasonable clarity, deliberateness, and precision necessary to render its incorporation into the claims appropriate. Applicant is free to copy the text from the cited portion of the specification into claim 1 if

Applicant desires specific limitations on how "wizard" is to be interpreted. Applicant's attempt to incorporate the description of an "operating system based extension" (p. 14 of Applicant's remarks) fails for similar reasons. An applicant is entitled to be his or her own lexicographer and may rebut the presumption that claim terms are to be given their ordinary and customary meaning by clearly setting forth a definition of the term that is different from its ordinary and customary meaning(s). See In re Paulsen, 30 F.3d 1475, 1480, 31 USPQ2d 1671, 1674 (Fed. Cir. 1994) (inventor may define specific terms used to describe invention, but must do so "with reasonable clarity, deliberateness, and precision" and, if done, must "set out his uncommon definition in some manner within the patent disclosure' so as to give one of ordinary skill in the art notice of the change" in meaning) (quoting Intellicall, Inc. v. Phonometrics, Inc., 952 F.2d 1384, 1387-88, 21 USPQ2d 1383, 1386 (Fed. Cir. 1992)). Where an explicit definition is provided by the applicant for a term, that definition will control interpretation of the term as it is used in the claim. Toro Co. v. White Consolidated Industries Inc., 199 F.3d 1295, 1301, 53 USPQ2d 1065, 1069 (Fed. Cir. 1999) (meaning of words used in a claim is not construed in a "lexicographic vacuum, but in the context of the specification and drawings"). Any special meaning assigned to a term "must be sufficiently clear in the specification that any departure from common usage would be so understood by a person of experience in the field of the invention." Multiform Desiccants Inc. v. Medzam Ltd., 133 F.3d 1473, 1477, 45 USPQ2d 1429, 1432 (Fed. Cir. 1998). See also Process Control Corp. v. HydReclaim Corp., 190 F.3d 1350, 1357, 52 USPQ2d 1029, 1033 (Fed. Cir. 1999) and MPEP § 2173.05(a).

Applicant's arguments alleging that various features are not taught by the Gauthier reference, are believe to have been addressed in, for example, items 4b through 4f, pp. 3-6 of the Final Rejection mailed August 19, 2005.

In response to Applicant's arguments on p. 13, in the second paragraph of Applicant's remarks, the Examiner respectfully submits that the XML Specification cited by the Examiner was not used in an applied rejection, and Applicant's argument about the impropriety of a rejection is misplaced. Since Applicant is apparently unaware of previous versions of the XML Specification, the Examiner herewith provides a copy of the XML Specification that does qualify as prior art (published February 10, 1998). It should be noted that the same wording relied upon in showing that XML is browser-based is present even in the older version of the specification (see the Abstract on the first page). Indeed, even in the Working Draft published November 14, 1996 (nearly five years prior to the instant application's filing date), similar language was used to describe XML (Applicant is free to review this document, available on the World Wide Web at <http://www.w3.org/TR/WD-xml-961114>, but a copy is not being furnished with this Office action).

(Advisory Action (11/04/2005) item 11 (A copy of the XML Specification published February 10, 1998, was cited and provided.) Further, the newly added limitations of amended claims 7, 10, 11, 14, and 15 and new claims 16-20 are addressed in the rejections set forth below.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 4-8, 10-15, 17, 18, and 20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." In this context, "functional descriptive material" consists of data structures and computer programs which impart functionality when employed as a computer component. (The definition of "data structure" is "a physical or logical relationship among data elements, designed to support specific data manipulation functions." The New IEEE Standard Dictionary of Electrical and Electronics Terms 308 (5th ed. 1993).) "Nonfunctional descriptive material" includes but is not limited to music, literary works and a compilation or mere arrangement of data. Both types of "descriptive material" are nonstatutory when claimed as descriptive material *per se*. *In re Warmerdam*, 33 F.3d 1354, 1361, 31 USPQ2d 1754, 1760 (claim to a data structure per se held nonstatutory).

Data structures not claimed as embodied in computer-readable media are descriptive material *per se* and are not statutory because they are not capable of causing functional change in

the computer. *See, e.g., In re Warmerdam*, 33 F.3d 1354, 1361, 31 USPQ2d 1754, 1760 (claim to a data structure per se held nonstatutory). Such claimed data structures do not define any structural and functional interrelationships between the data structure and other claimed aspects of the invention which permit the data structure's functionality to be realized. In contrast, a claimed computer-readable medium encoded with a data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory.

Similarly, computer programs claimed as computer listings per se, *i.e.*, the descriptions or expressions of the programs, are not physical "things." They are neither computer components nor statutory processes, as they are not "acts" being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer which permit the computer program's functionality to be realized. In contrast, a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory. *See In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035.

Claim 4-6 and 17 recite a "system" comprising a series of elements that can be reasonably interpreted as software, *per se*. The claim does not define any structural and functional interrelationships between the software elements and a computer that would permit the described functionality to be realized when the software is employed as a computer component. Further, the language of claim 9 appears to provide evidence that claim 4 is

intended to cover within its scope the software elements by themselves. Accordingly, claims 4-6 and 17 appear to merely set forth non-functional descriptive material *per se*, which is nonstatutory.

A claim that requires one or more acts to be performed defines a process. However, not all processes are statutory under 35 U.S.C. § 101. To be statutory, a claimed process must either: (A) result in a physical transformation for which a practical application is either disclosed in the specification or would have been known to a skilled artisan, or (B) be limited to a practical application which produces a useful, tangible, and concrete result. *See Diamond v. Diehr*, 450 U.S. 175, 183-84, 209 USPQ 1, 9 (1981) (quoting *Cochrane v. Deener*, 94 U.S. 780, 787-88 (1876)) ("A [statutory] process is a mode of treatment of certain materials to produce a given result. It is an act, or a series of acts, performed upon the subject-matter to be transformed and reduced to a different state or thing . . . . The process requires that certain things should be done with certain substances, and in a certain order; but the tools to be used in doing this may be of secondary consequence."). *See also In re Alappat*, 33 F.3d 1526, 1543, 31 USPQ2d 1545, 1556-57 (quoting *Diehr*, 450 U.S. at 192, [209 USPQ at 10]).

In *State Street*, the Federal Circuit examined some of its prior section 101 cases, observing that the claimed inventions in those cases were each for a "practical application of an abstract idea" because the elements of the invention operated to produce a "useful, concrete and tangible result." *State St. Bank & Trust v. Signature Fin. Group*, 149 F.3d 1368, 1373-74, 47 USPQ2d 1596, 1601-02 (Fed Cir. 1998). For example, the court in *State Street* noted that the claimed invention in *Alappat* "constituted a practical application of an abstract idea (a

mathematical algorithm, formula, or calculation), because it produced 'a useful, concrete and tangible result'—the smooth waveform." *Id.* Similarly, the claimed invention in *Arrhythmia* "constituted a practical application of an abstract idea (a mathematical algorithm, formula, or calculation), because it corresponded to a useful, concrete and tangible thing—the condition of a patient's heart." *Id.* (citing *Arrhythmia Research Tech. V. Corazonix Corp.*, 958 F.2d 1053, 22 USPQ2d 1033 (Fed. Cir. 1992)).

In determining whether the claim is for a "practical application," the focus is not on whether the steps taken to achieve a particular result are useful, tangible and concrete, but rather that the final result is "useful, tangible and concrete." The Federal Circuit further ruled that it is of little relevance whether a claim is directed to a machine or process for the purpose of a § 101 analysis. *AT&T Corp. v. Excel Commc'ns*, 172 F.3d 1352, 1358, 50 USPQ2d 1447, 1451 (Fed. Cir. 1999).

Claims 7, 12, 13, and 20 set forth methods where each step consists of, "providing [a component] . . . ." Merely providing components capable of being used together to accomplish a certain task is not the same as carrying out that task. Claims 11, 14, and 15 are similar to claims 7 and 12 except that they set forth systems (claims 11 and 14) and a medium (claim 15). Accordingly, in the context of claims 7, 11-15, and 20, any practical application that the components are capable of achieving is not a required element of the claims. As claims 7, 11-15, and 20 are not limited to a practical application, the claims are non-statutory.

Claims 8, 10, 15, and 18 set forth computer readable media having computer executable instructions. Applicant's specification defines such computer-readable media as embracing

communication media embodiments, reasonably interpreted to include signals encoded with functional descriptive material. (Specification p. 7, lines 5-7.) The Office's current position is that claims involving signals encoded with functional descriptive material do not fall within any of the categories of patentable subject matter set forth in 35 U.S.C. § 101, and such claims are therefore ineligible for patent protection. *See* 1300 OG 142 (November 22, 2005) (in particular, see Annex IV(c)).

5. To expedite a complete examination of the instant application, the claims rejected under 35 U.S.C. §101 (non-statutory) above are further rejected as set forth below in anticipation of Applicant amending these claims to place them within the four statutory categories of invention.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 17 and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 17 recites the limitation "The method according to claim 4" in line 1. There is insufficient antecedent basis for this limitation in the claim. In the interest of compact prosecution, this limitation is subsequently interpreted as --The system according to claim 4--.

Claim 20 recites, "control from said host-wizard to one or more sub-wizard components passes a property bag . . . ." *Control* does not appear to be a physical element capable of passing a property bag, and accordingly, the scope of this limitation is unclear. As best understood by

the examiner, and in the interest of compact prosecution, the body of claim 20 is subsequently interpreted as --passing a property bag between said host-wizard component and said one or more sub-wizard components-- (which is consistent with related claims 16-19).

Claim Rejections - 35 USC § 102

8. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

9. Claims 9, 11, 14, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by "User's Guide: Microsoft® Windows™ Operating System Version 3.1," 1993, Microsoft Corp. (hereinafter "WIN3.1").

Language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. MPEP § 2106.

Claims 9, 11, 14, and 19 set forth computer systems "operable to execute a method for use in a computing environment for [extending or chaining wizards] . . . ." A computer system having the recited components, *i.e.*, a processor, a memory, and an operating environment, which when provided with such executable method instructions could execute them would meet the claim requirements because "operable to" does not require the presence of the instructions, and the instructions are not recited as part of the claim. WIN3.1 discloses such a system comprising a processor (a 386 processor or higher for *enhanced* mode), a memory (640 kilobytes of

conventional memory plus 1,024 kilobytes of extended memory for *enhanced* mode), and an operating environment (the Microsoft® Windows™ 3.1 operating system). See *WIN3.1* p. xvi.

10. Claims 7, 10, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Alex Fedorov, et al., "Professional Active Server Pages 2.0," 1998, Wrox Press Ltd (hereinafter *Fedorov et al.*).

As per claim 7, *Fedorov et al.* discloses providing a host wizard that defines an extension interface to respond to navigation events (*seismic.asp*, an Active Server Page that causes the loading and display of a wizard dialog box; see, for example, the last paragraph on p. 423; the response to navigation events is implemented through the "< Back", "Next >", "Cancel", and "Send" navigation controls as illustrated, for example, on pp. 424-426); providing a web component comprising: a web page containing a header area, a wizard control area and a control interface area (see, for example, the screenshots of the wizard dialog on pp. 424-426), the control interface area having navigation control adapted to recursively navigate within said web component and to said host wizard, by utilizing one or more object module functions enabling navigation (the screenshots of the wizard dialog on pp. 424-426 clearly show the "< Back" and "Next >" navigation controls). *Fedorov et al.* further discloses providing a user interface that integrates the web component into the host wizard by utilizing the extension interface to perform recursive navigation between said web component and said host wizard (the user-interface is provided by *equakeget.htm*, an HTML page, which interacts with the user and submits entered results to the Active Server Page script in *seismic.asp*; see, for example, "Submitting the Data" on p. 431); and providing an information container to exchange informational items between the

web component and the host wizard (a return string is generated to convey the results; see, for example, "Submitting the Data" on p. 431).

As per claim 10, this is a computer readable medium version of the method discussed above (claim 7). The use of such a computer readable medium, such as memory, is further inherent in realizing the computer-implemented functionality disclosed by *Fedorov et al.*

As per claim 11, this is a computer system version of the method discussed above (claim 7). *Fedorov et al.* further discloses the prescribed methods as being computer-implemented (for example, the screenshots on pp. 424-427 illustrate execution within an Internet Explorer web browser environment, which inherently requires a processor and a memory to function as illustrated/described).

11. Claims 1-6, 8, 9, and 12-15 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,574,791 to Gauthier et al.

As per claim 1, *Gauthier et al.* discloses providing a host-wizard component (see, for example, col. 9, line 56, through col. 10, line 5); providing one or more sub-wizard components (see, for example, col. 9, line 56, through col. 10, line 5); and said host-wizard invoking said one or more subwizard components during said host-wizard component execution (see, for example, col. 9, line 56, through col. 10, line 5); and transferring control from said host-wizard to said one or more sub-wizard components. As disclosed in col. 14, line 9, through col. 15, line 24, the subwizard includes several objects that define its functionality. For example, the WizardState object included in the subwizard maintains a set of attributes used to get and channel data from default attributes and/or user input and deliver those attributes to a WizardCodeGenerator object

(col. 14, lines 29-37), and the WizardCodeGenerator object uses this channeled data to either generate code (for example, in the context of a wizard designed to configure a peripheral device) or perform or execute existing code (col. 15, lines 1-24). As the functionality for the subwizard is defined within the subwizard, control must be passed to the subwizard during execution in order to realize the described functionality.

As per claim 2, *Gauthier et al.* further discloses the sub-wizard components being browser based object components (see, for example, col. 18, line 66, through col. 19, line 30).

As per claim 3, *Gauthier et al.* further discloses the sub-wizard components being operating system based application component object extensions (the basic functionality of the computer system disclosed by *Gauthier et al.* is controlled by operating system 100; see, for example, col. 6, lines 42-46).

As per claim 8, this is a computer readable medium version of the method discussed above (claim 1). *Gauthier et al.* further discloses the use of such a medium to implement the prescribed methods (see, for example, col. 5, line 52, through col. 6, line 4).

As per claim 9, this is a computer system version of the method discussed above (claim 1). *Gauthier et al.* further discloses the use of such a system to implement the prescribed methods (see, for example, col. 5, line 24, through col. 6, line 46).

As per claim 4, *Gauthier et al.* discloses a host wizard having a host-wizard interface adapted to communicate with other wizards (see, for example, col. 9, line 56, through col. 10, line 5) and a host-wizard navigational component adapted to transfer control to other wizards (see, for example, col. 10, lines 57-67; and col. 14, lines 9-14); one or more sub-wizard

components, said one or more sub-wizard components having sub-wizard interfaces adapted to communication with other wizards and sub-wizard navigational components adapted to transfer control to other wizards. The WizardManager class disclosed by *Gauthier et al.* defines objects which control the execution of multiple subwizards within the target wizards. Gauthier further discloses a WizardManagerSelectionPanel class providing a GUI interface panel with dynamically updated content to allow a user of the target wizard to select from a list of available subwizards (col. 10, lines 30-33), thus providing the necessary navigation component to invoke the selected subwizard. Further, as disclosed in col. 14, line 9, through col. 15, line 24, the subwizard includes several objects that define its functionality. For example, the WizardState object included in the subwizard maintains a set of attributes used to get and channel data from default attributes and/or user input and deliver those attributes to a WizardCodeGenerator object (col. 14, lines 29-37), and the WizardCodeGenerator object uses this channeled data to either generate code (for example, in the context of a wizard designed to configure a peripheral device) or perform or execute existing code (col. 15, lines 1-24). As the functionality for the subwizard is defined within the subwizard, control must be passed to the subwizard during execution in order to realize the described functionality. *Gauthier et al.* further discloses said host wizard can communicate with one or more sub-wizard components through the host-wizard interface and sub-wizard interfaces (see, for example, col. 9, line 56, through col. 10, line 5; col. 10, lines 57-67; and col. 14, lines 9-14); and wherein control is transferred between the host wizard and the sub-wizard component through the host navigational component and the sub-wizard navigational component (see, for example, col. 10, lines 57-67; and col. 14, lines 9-14).

As per claim 5, *Gauthier et al.* further discloses the sub-wizard components being browser based object components (see, for example, col. 18, line 66, through col. 19, line 30).

As per claim 6, *Gauthier et al.* further discloses the sub-wizard components being operating system based application component object extensions (the basic functionality of the computer system disclosed by *Gauthier et al.* is controlled by operating system 100; see, for example, col. 6, lines 42-46).

As per claim 12, *Gauthier et al.* discloses providing a first wizard (see, for example, col. 9, line 56, through col. 10, line 5); providing a second wizard (see, for example, col. 9, line 56, through col. 10, line 5); and providing at least one navigational component on each of said first and second wizards allowing sequential progression or regression through said first and second wizards to chain said second wizard to said first wizard (see, for example, col. 10, lines 57-67; and col. 14, lines 9-14).

As per claim 13, *Gauthier et al.* further discloses the first and second wizards each being an operating system based wizard (the basic functionality of the computer system disclosed by *Gauthier et al.* is controlled by operating system 100; see, for example, col. 6, lines 42-46) or a web based wizard (see, for example, col. 18, line 66, through col. 19, line 30).

As per claim 14, this is a computer system version of the method discussed above (claim 12). *Gauthier et al.* further discloses the use of such a system to implement the prescribed methods (see, for example, col. 5, line 24, through col. 6, line 46). *Gauthier et al.* also discloses the wizards having panels to guide a user through tasks (see, for example, col. 2, lines 4-13; col. 11, lines 54-63).

As per claim 15, this is a computer readable medium version of the method discussed above (claim 12). *Gauthier et al.* further discloses the use of such a medium to implement the prescribed methods (see, for example, col. 5, line 52, through col. 6, line 4). *Gauthier et al.* also discloses the wizards detailing instructions associated with tasks (see, for example, col. 2, lines 4-21).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

13. Claims 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,574,791 to Gauthier et al. in view of Alex Fedorov, et al., "Professional Active Server Pages 2.0," 1998, Wrox Press Ltd ("*Fedorov et al.*").

As per claims 16-20, although *Gauthier et al.* discloses the features recited in claims 1, 4, 8, 9, and 12 (see the rejection under 35 U.S.C. § 102(b) above), *Gauthier et al.* fails to expressly disclose passing a property bag (an assorted collection of miscellaneous data, variables and other information that a developer needs to transfer between wizards) between said host-wizard component and said one or more sub-wizard components. However, *Fedorov et al.* teaches providing a host wizard (*seismic.asp*, an Active Server Page that causes the loading and display of a wizard dialog box; see, for example, the last paragraph on p. 423) and a subwizard (the user-interface provided by *equakeget.htm*, an HTML page, which interacts with the user and submits entered results to the Active Server Page script in *seismic.asp*; see, for example, "Submitting the

Data" on p. 431), wherein a "property bag" (a return string) is generated to pass the results back to the host wizard (see, for example, "Submitting the Data" on p. 431, describing the passing of collected data to *seismic.asp* and the figure on p. 427, illustrating the subsequent display of the generated output in the web browser window). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the wizards/subwizards of *Gauthier et al.* to include such passing of data (a "property bag") as per the teachings of *Fedorov et al.* One would be motivated to do so to allow a host to process the data gathered by a sub-wizard to accomplish an overall task, particularly where large amounts of data must be collected or when tasks or complex (see, for example, *Fedorov* "Using Enhanced Forms with ASP" and "A Tour of the Seismic Load Calculator" on p. 423).

Conclusion

14. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Eric B. Kiss whose telephone number is (571) 272-3699. The Examiner can normally be reached on Tue. - Fri., 7:00 am - 4:30 pm. The Examiner can also be reached on alternate Mondays.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Tuan Dam, can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature should be directed to the TC 2100 Group receptionist: 571-272-2100.

Eric B. Kiss
June 22, 2006